IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

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WRIT PETITION NO : 3767 of 2004

Between:

1.Dr.M.R.C.Bhattacharyulu S/o. Kesavacharyulu,
Archaka of Sri Chenna Kesava Swamy Vari Temple, Kurumaddali,

r/o Kurumaddali, Pamarru Mandal, Krishna District.
2.M.V.Ch.Srikumar S/o. Dr.M.R.C.Bhattacharyulu,
Archaka of Sri Chenna Kesava Swamy Vari Temple, Kurumaddali,

r/o Kurumaddali, Pamarru Mandal, Krishna District.

..... PETITIONERS

AND

1 The Commissioner, Department of Endowments,
Tilak Road, Hyderabad.
2 The Deputy Commissioner, Department of Endowments,
Kakinada, East Godavari District.
3 The Executive Officer, Sri Chenna Kesava Swamy Temple,
Kurumaddali, 4/150 Old Town, Gudiwada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the third respondent in leasing out the Service Inam Lands given in lieu of remuneration to archakas (Share of Late Madhavacharyulu), to third parties as arbitrary, illegal and contrary to law and consequently direct the respondents to restore the possession of the lands to the Archakas with all consequential benefits.

Counsel for the Petitioners: MR.M.C.ACHARULU
Counsel for the Respondent Nos.1&2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: Ms. M.Jyothi, Standing Counsel.

The Court made the following :

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THE HONOURABLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION No.3767 OF 2004

ORDER:

The petitioners herein claiming to be Archakas of the temple viz., Sri Chenna Kesava Swamy Vari Temple, Kurumaddali, Pamarru Mandal, Krishna District, filed this writ petition, inter-alia, seeking writ of mandamus to declare the action of the third respondent in trying to lease out the service inam lands, which were given to them in lieu of remuneration.

Several contentions have been urged on behalf of the petitioners against the said apprehended action. However, the petitioners have already filed a detailed representation before the first respondent herein on 19.09.2003, complaining against such an act.

Having regard to the above, it is not necessary to go into the merits of the claim or the objection raised by the petitioners and it would suffice, in the interest of justice, to direct the first respondent herein to dispose off the said representation within a period of one month from the date of receipt of a copy of this Order, after giving notice and on hearing the petitioners and pass orders in accordance with Law.

The writ petition is accordingly disposed of. No costs.

20th July, 2004.

Cs/skmr

To

1.The Commissioner, Department of Endowments, Tilak Road, Hyderabad.

2.The Deputy Commissioner,Department of Endowments, Kakinada, East Godavari District.

3.The Executive Officer, Sri Chenna Kesava Swamy Temple, Kurumaddali, 4/150 Old Town, Gudiwada, Krishna District.

4.Two C.Cs. to the Government Pleader for Endowments, High Court Buildings, Hyderabad. (O.U.T.).

5. Two C.D. copies.